

MINUTES
OF THE REGULAR MEETING OF THE
TOOELE COUNTY BOARD OF COMMISSIONERS
HELD JULY 7, 2015

Chairman Bitner called the meeting to order at 7:00 p.m. The time, place and agenda of the meeting had been provided to the Tooele Transcript Bulletin and to each member of the governing body by delivering copies of the notice and agenda at least two days before to each of them.

1. **PLEDGE OF ALLEGIANCE.** The Pledge of Allegiance was offered by Anthony Garrard, Troop #1615.

2. **ROLL CALL.** The Clerk called the roll which showed Commissioners Wade Bitner, Chairperson, Shawn Milne and Myron Bateman present. Also present were Scott Broadhead, Attorney and Marilyn Gillette, Clerk/Auditor.

3. **MINUTES.** Commissioner Milne moved to approve the minutes of the Commission Meeting held June 16, 2015 as presented. Commissioner Bateman seconded the motion. All concurred.

4. **CONSENT AGENDA.** Commissioner Bateman moved to approve the Consent Agenda. Commissioner Milne seconded the motion. All concurred.

Invoices. A) Warrants issued on June 10, 2015 in the amount of \$371,837.58. Direct Deposit #061015001 - #061015312, Payroll Check #7401 - #7427. Transmittal Checks in the amount of \$264,235.37, Check #7428 - #7434; B) Warrants issued June 11, 2015 in the amount of \$362,716.09, Check #151583 thru #151714; C) Warrants issued June 18, 2015 in the amount of \$193,717.12, Check #151715 thru #151841; D) Warrants issued on June 24, 2015 in the amount of \$341,786.79, Direct Deposit #062415001 - #062415323. Payroll Check #7435 - #7441. Transmittal Checks in the amount of \$242,124.56, Check #7442 - #7451; E) Warrants issued June 25, 2015 in the amount of \$373,627.24, Check #141842 - #151987.

Tax Adjustments. A) Wanda B. Brewer, Jr. Parcel #02-059-0-0020. Should have received abatement (circuit breaker) in 2014. Relief amount \$829.22; B) Bailey Samuel, Parcel #04-070-0-0006. After further research 10% abatement should not have been applied; C) Linda Hammond, Transaction #19UUA86249A000498. The owner paid for her car taxes on May 29, 2015 and then sold her car two days later. Relief amount (\$80.); D) Sam J. Kelley, Transaction # IN4AL2AP4CC193801. Owner paid \$150.00 on May 26, 2015, was given decal that expires in August 2015. Visited DMV and informed there is no way to rectify, save a refund and re-accomplish renewal in August. Relief amount (\$150.00); E) Ronald or Linda Kirby, Transaction #1HFTTE354074011519. Owner thought it was our truck registration so he paid it. Then looked at registration and saw it was a 4-wheeler, sold 4-wheeler last fall.

Ratifications. A) Amendment #10 to Contract dated March 30, 2010 between Jvation, Inc. And Tooele County - Wendover Airport; B) Amendment #2 to Contract #140934 between Utah Department of Human Services, Division of Substance Abuse and Mental Health and Tooele County; C) DHS Contract with Local Mental Health Authority and Utah Department of Human Services, Division of Substance Abuse and Mental Health; D) DHS Contract with Local Substance Abuse Authority between Utah Department of Human Services, Division of Substance Abuse and Mental Health and Tooele County; E) Modification of Cooperative Law Enforcement Agreement between Tooele County Sheriff's Office and the Uintah-Wasatch-Cache National Forest; F) Easement between the

State of Utah by and through the School and Institutional Trust Lands, Administration and Tooele County; G) Mountain America SEG Membership Letter.

Contract Review. B) 12-11-10- Agreement for Financial Advisory Services Between Zions Bank Public Finance and Tooele County will be reviewed August, 2015.

A) 06-02-11-Advance PCS Health, L.P. National Association of Counties Managed Pharmacy Benefit Services Agreement for Member County; C) 14-07-01- State of Utah Department of Transportation Federal Aid Agreement Supplement for Local Agency Project- Agreement # 138673- Old Mormon Trail Road; D) 14-07-05- Engagement of Parsons, Behle & Latimer- Water Right Matters; E) 14-07-12- Dispatch Service Agreement Between Tooele County and Stockton City have no further need for review.

5. UTAH LOCAL GOVERNMENT TRUST, TRUST ACCOUNTABILITY AWARD & DIVIDEND. Ryan Hatch and Jason Watterson, Utah Local Governments Trust, presented the County with a check for \$10,409.29 for participation in the ULGT Trust Accountability Award Safety Program.

6. APPEAL OF PUD 2015-05 - PRELIMINARY APPROVAL FOR NORTHPORT VILLAGE PUD PHASE 3 - FILED BY (1) MICHAEL & KATHLEEN HANSEN AND SHANE & KAREN MAYCOCK, AND (2) JAMES H. LEAR. Blaine Gehring, Planner, stated this is an appeal to the Planning Commission's decision to continue Delgada lane as a thru street. Mr. Gehring's recommendation was to let the Planning Commission's decision stand. James Lear, Stansbury resident, stated a previous version of the subdivision showed a cul-de-sac at the end of Delgado, rather than a continuation of the street. He felt this is an amendment to the plat and that it requires written notice to property owners and a public hearing to be held. Shane Maycock has a map that shows the cul-de-sac. He is also concerned about the increase in traffic. He has a solution to the problem, which he described to the Commission. He also presented documentation showing his suggestion to Clerk Gillette. Mike Hansen suggested making the connection road but make it one way going west. Commissioner Bateman made a motion to take it under advisement until the next meeting. Commissioner Milne seconded the motion. All concurred.

7. RESOLUTION 2015-03 - ADOPTING A RESIDENTIAL ANTIDISPLACEMENT POLICY AND RELOCATION ASSISTANCE PLAN. Blaine Gehring, Planner, discussed this with the Commission. They have received a grant which requires that the County have a Residential Antidisplacement Policy and Relocation Assistance Plan. He asked that this be approved. Commissioner Milne moved to approve. Commissioner Bateman seconded the motion. All concurred.

8. ORDINANCE 2015-15 - AMENDING THE OFFICIAL ZONING MAP OF TOOELE COUNTY; REZONING APPROXIMATELY 28.53 ACRES OF LAND IN ERDA, ADJACENT TO THE AIRPORT, FROM A-20 TO RR-5. Blaine Gehring, Planner, this land is next to the airport. This property would provide a buffer for the airport. The Planning Commission sends this recommendation for unanimous approval. Commissioner Bateman moved to approve. Commissioner Milne seconded the motion. All concurred.

9. APPROVAL OF TAX SALE. Clerk/Auditor Gillette stated there were 10 properties, 9 of the 10 properties sold. It was a very successful sale. Commissioner Milne moved to approve. Commissioner Bateman seconded the motion. All concurred.

10. PUBLIC HEARING ON PROPOSED SALARY ADJUSTMENT FOR COUNTY OFFICERS. Commissioner Bither opened the public hearing. Those in attendance were: Gail Williams, Jami McCart, Calvin Cobb, Travis Scharmann, Ryan Hatch, Jason Watterson, Mariann Camomile, Brian McFadden, Kanni Perkins, Faye Hall, John Stout, Chris Holland, Andy Burnet, LaVon Burnet, Raymond Dixon, Bill Dixon, Diane Burgerer, Wendy Shubert, Shirley Beagley, Scott Clark, Bucky Whitehouse, Shelly McKeever, Dan McKeever, Tod Hudson, Shannon Clough, Steven Costello, Wendy

Rubis, Ed Rurr, Susan Kroff, Melvin J Sweat, Paul Wimmer, V Denman, Shawn Oviatt, Judy Carter, Chelsea Carter, Julie White, Brent White, Melissa Miller, Kathleen LeFevre, Ron Jette, Gordon Beals, Randall Jones, Scott Rybasik, Stacey Mayhew, Mark Nelsen, Scott Kenison, Wes Kenison, Zachary Huffman, Darrin Cook, Brian Cook, Gavin Smith, Brandon Smith, Frank Shafer, Chris Sloan, Anthony Garrard, Ethan Willis, Tom Lee, Jonas H. O'Hara, Jr., Ethel Walters, Brian Smith, Suzie Davies, Jill See, Tracey Marz, Danny Marz. Jami McCart, Human Resources, gave a presentation explaining the proposed salary adjustment. Commissioner Bitner then opened the floor to the public for comment.

Cami Perkins - Tooele City - speaking in her personal capacity, spoke in support of and against. Support is reasonable, timing is very bad. Significant tax increase on community. Comment them for allowing them to speak on it and put it on the budget. Line items 110 and 130 of the budget show an increased labor cost by \$3,090,000. She felt they were moving too quickly as a community. Proposed more of a tier increase. As a tax payer please be more conservative.

Chris Holland - speaking for herself - totally agree with what Cami said. As an employee she hasn't received a cost of living raise for several years. Has worked for the county for 24 years. The two new Commissioners have been here for 6 months and they are proposing a 24% increase. The employee's are grateful for the 3% increase, but compared to the 24%...she felt it is audacious. Why all at once, why not smaller increases. She doesn't think any Commissioner should value himself higher than the Sheriff, when you have deputies risking their lives and they are getting a 3% increase. Many good deputies left the community because they couldn't afford to feed their families.

Raymond Dixon - agreed with Cami and with Chris. As a tax payer he is mad as heck. A 67% tax increase less than 2 years ago, the employee's get a 3% increase. Now a 24% increase for the Commissioners, it's ridiculous. Every department in the county's budget has been cut. They expect him to put on a \$200,000 fair for \$50,000, the Search & Rescue budget has been cut from \$64,000 to \$20,000. He agreed with the 3% cost of living for them.

Frank Schafer, citizen, read in the paper a 24% increase, thinks it's totally unfair. We've had some major increases and cuts and the CJC needing repair which affects children in the community. If anything he felt the wages should decrease, not increase. When he was listening to the Pledge of Allegiance he felt this is not justice.

Susan Kroff - agrees with what has been said tonight. Feels they are a little premature in asking for an increase in salary. The other Commission wanted to raise their salary also. She felt it is not right at this time, even though Milne states he disapproves of this, either way she hopes they will listen to the public. Shawn will win either way, There are other things in this community that need to be taken care of before they get an increase in pay. She agrees that the employee's need to have an increase, even more than the 3%. They have only been in office for 6 months. Take care of the things in the community before they start putting money into their pockets.

Vernon Denman, 25 years as a government employee, 2.5 was his highest pay increase. For the past 9 years he's been on disability injury, cost of living ranges between 1 1.5%, military gets between 1 and 1.5%. Military, SS and veterans are looking at 1.3 and 2%. He can see where the employee's deserve a 3% increase, but a 24% increase? His question was, "where is the increase in duties, responsibilities and services?"

Mariann Camanile - Erda, asked the Commission to think of this as a business. Do they have a five year plan for the County. Ask not what you can do for yourself but what you can do for this county. We all live in this county for various reasons, think about that first before you take care of yourself.

Gordon Beals - understands the position they are in as Commissioners. Ask what the definition of insanity is. Doing the same thing over and over again and expecting different

results. When Shawn came in the county was almost in bankruptcy, they laid off 100+ employee's to survive, closed down DPC. Now we're right back to business as usual. We've raised everyone's taxes, so how are we going to spend it? He thinks COLA's are insulting. Very low morale in Tooele County, you want a 24% raise but only give your employee's a 3% raise. That kicks them in the butt. COLA's widens the gaps between employee's wages. The district policy says equal pay for equal work. You are in violation of your own policy. The guy that's making \$20 is getting more than the guy that makes \$17. This causes employee's to feel hurt because things aren't fair. He made a suggestion, take that money that you were going to pay yourselves and the employee's and go back to your directors, find out who is doing the work and who isn't doing the work. Those that are doing the work, reward them. Quit rewarding those that aren't doing the work. Take a look at the wages of your employee's. Some are getting paid far less than others doing the same job. COLA's aren't fair to everyone.

Teresa McNeil - Grantsville/Erda - who proposed this, which one of you three proposed this? Myron and Wade ran an election knowing what the wage was for that position. You've been there 6 months, there shouldn't be a pay increase based on short term performance. We've become an entitled society. She hoped that as our Commissioners they would slow down. She and her husband have self employed jobs. Think about the residents of Tooele County, reconsider and do what's right.

Bill Dixon - to make a comment like was heard from our present President. We voted on hope and change. A lot of people voted for you on hope and change. Don't do away with our hope and don't change it for the worse.

Jane See - wondered how many of you are retired and retired from what. Is this salary the only salary you are receiving from the county. She asked if Myron is receiving a retirement from the salary. Myron stated he is continuing on the regular system. Where is the money coming from? No-one knows where the money from the west desert industries went. She wants to know where the money for this increase is coming from. She doesn't know how much they influenced the article in the newspaper, you were compared to women doing two jobs a piece. If not, why don't you hire two other people with this money? Think this over, you may be one time Commissioners.

Shannon Clow, Erda, Monday the jail was on lock down, it wasn't because of the inmates, it was because we didn't have enough officers to staff it. What happens at 5 when a new crew comes on and those inmates have been on lockdown all day. It's not safe. In two weeks they are losing a secretary, why, because we don't have the money to pay her anymore. Why do we have to let these employee's go and you guys get a raise.

There were no more public comments. Commissioner Milne moved to close the public hearing. Commissioner Bateman seconded the motion. All concurred.

11. **RESOLUTION 2015-02 - RE-ESTABLISHING THE SALARIES OF THE TOOELE COUNTY OFFICERS FOR THE 2015 FISCAL YEAR AS A RESULT OF THE 2015 MID-YEAR COLA AND AN ADJUSTMENT TO THE SALARIES FOR COUNTY COMMISSIONERS.**

Commissioner Bateman moved to approve Resolution 2015-02 with the change that the Commission Chairman's salary be changed to \$78,791 and the other two Commissioners salaries be changed to \$78,491. Commissioner Bitner seconded the motion. Commissioners Bateman and Bitner voted yes. Commissioner Milne voted no. The motion carried.

12. **PUBLIC CONCERNS** Brian McFadden, Erda, was embarrassed by the three gentlemen. They have avoided him for 3 months, especially Commissioner Milne about Blaine Gehring and his lack of understanding of the fair housing act. After campaigning on balanced budgets, and you sit there and vote for that raise. He was amazed and disgusted.

Gordon Beals requested free garbage pickup at his house. People in Ibapah have been receiving free garbage pickup for 10 years. You expect him and everyone else to pay for their garbage pickup. There are two types of employees, the kind that make the county

money or those that don't. Just a reminder.

Ethel Walters - Erda - was concerned about the entrance and exiting at Excelsior School. It is very congested and the cars are lined up to get into the turnaround circle.

Commissioner Bateman asked if they are crossing Erda Way. Ethel stated they don't, but she has seen cars parked down in the gully trying to get thru the narrow opening to go around and pick up their school kids.

Scott Rivers - representing Utah's Sports Bike Association, asked what plans have been made for the Miller Motor Sportspark. Commissioner Milne discussed potential suitors, would like to see a transfer of ownership. Scott Rybarik moved here in Dec., due to the MMP. Since it's coming up on 10 years old, are there provision that would cover those costs for a potential suitor. How is the county going about qualifying what the best proposal is. Is there going to be public comment? Commissioner Milne stated those are very good questions.

Bill Dixon - Chairman of Tooele County Recreation Special Service District Board. Members have had several discussion at the last meetings about the amount that was cut from their budget. They would like to request the money back, again. He knows it doesn't have to go to another district, just because they control the money, it can still go into recreation.

13. **ADJOURNMENT.** Commissioner Bateman moved to close the meeting at 8:27 pm.

Commissioner Milne seconded the motion. All concurred.

THE FOREGOING MINUTES ARE HEREBY APPROVED:

BY: Wade B. Bitner
WADE B. BITNER, CHAIRMAN

ATTEST:

BY: Marilyn K. Gillette
MARILYN K. GILLETTE, CLERK/AUDITOR

